

City of Burien

BURIEN PLANNING COMMISSION

January 22, 2014

7:00 p.m.

Multipurpose Room/Council Chambers

MINUTES

To hear the Planning Commission's full discussion of a specific topic or the complete meeting, the following resources are available:

- Watch the video-stream available on the City website, www.burienwa.gov
- Check out a DVD of the Council Meeting from the Burien Library
- Order a DVD of the meeting from the City Clerk, (206) 241-4647

CALL TO ORDER

Chair Jim Clingan called the January 22, 2014, meeting of the Burien Planning Commission to order at 7:00 p.m.

ROLL CALL

Present: Jim Clingan, Butch Henderson, Joey Martinez, Brooks Stanfield

Absent: Greg Duff, Ray Helms, with one position vacant

Administrative staff present: Chip Davis, Community Development director; David Johanson, senior planner

AGENDA CONFIRMATION

Direction/Action

Motion was made by Commissioner Martinez, seconded by Commissioner Henderson, to approve the agenda for the January 22, 2014, meeting. Motion passed 4-0.

PUBLIC COMMENT

Jim Hellums, 140 S.W. 143rd St., asked why the northeast area of the city was chosen to be zoned for marijuana production and processing. He said he felt this was a sudden proposal and stated he is against it.

Carmello Zappala, 1043 S. 140th St., said he is dumbfound that the City is proposing to allow marijuana production and processing after everything the City has been doing to upgrade its image and that will not produce any revenue for the City. He said such a use will devalue the surrounding properties. He said there is no advantage to the City to allow this use and would be a detriment to the City. He said he didn't think any of the surrounding cities are allowing production and processing and questioned why the City of Burien would. He said if the City wants to do it, then do it on some of the vacant land in the downtown and see how the community would like it, rather than putting it in his neighborhood. He said he is getting the feeling that some of the council and Planning staff think that the northeast area is a throwaway area, but it's not. He said it's probably one of the most valuable areas in the city. He said he hopes that if this proposal makes it to the City Council they will be smart enough to say they want no part of it.

Cheryl Zappala, 1043 S. 140th St., said that although she understood the City had no legal obligation to send people in her neighborhood notice about the proposed zoning for marijuana production and processing, it isn't right. She said people should not have to read the newspaper or go online to find out what's happening. She said the City owes more than that to all the tax-paying and decent, law-abiding citizens. She said this wouldn't happen to the Seahurst or Old Burien areas. She said she understood these

uses have to be 1000 feet away from schools, but it takes her only two minutes to drive from her parking lot to Cedarhurst Elementary School which to her indicates it's too close. She said school buses drive down 8th Avenue South and children get off the bus all along there, so while technically the zoning might follow the law, there are children who are in the area. She said marijuana production and processing will create more crime in the neighborhood. She said the neighborhood is on the decline anyway and doesn't need anything to hasten that process. Mrs. Zappala suggested that since buildings are needed for production and processing, why not use the empty buildings in downtown Burien, but added that the City wouldn't do that because the City is more interested in the downtown than in what is happening to the northeast area. She said when Jag Basra built his parking lot in the neighborhood a few years ago, he invested a lot in the neighborhood and he probably trusted that the City would be supportive of his efforts as a businessman. Mrs. Zappala said that more of her neighbors would be at the meeting if they knew about the proposed zoning, but they are trusting that the City is going to take care of them just as the City takes care of the people in downtown, Old Burien, Seahurst area and closer to Normandy Park.

APPROVAL OF MINUTES

Direction/Action

Motion was made by Commissioner Stanfield, seconded by Commissioner Henderson, and passed 4-0 to approve the minutes of the January 8, 2014, meeting.

OLD BUSINESS

Discussion and Recommendation – Amended Zoning Regulations for Marijuana-related Businesses

Chip Davis reviewed the legalization of marijuana and the passage by the City Council of Ordinance No. 586 establishing six-month interim zoning regulations for marijuana-related businesses. Those interim regulations expire on February 19, 2014. Having conducted a public hearing on January 8, 2014, the Planning Commission is being asked to make a recommendation on the proposed permanent amended zoning regulations to the City Council. Commissioners discussed the possible impacts to the city if production and processing are allowed or banned.

Mr. Zappala said he had coffee with police officers who told him he would need 24-hour security for his property if the businesses are allowed in his neighborhood. He asked where the City would get additional revenue to add police to combat the increased crime that will come from these businesses. He also questioned how anyone could build a building near Miller Creek with its 100-foot setback on either side.

Jag Basra, 1244 S. 140th St., asked why, when cities like Kent and SeaTac who have more industrial-zoned land than Burien are not considering permitting production and processing, Burien is considering it. He asked that South 140th Street be removed from the area where these businesses might locate.

Councilmember Steve Armstrong, 15704 13th Ave SW, asked Mr. Davis if a marijuana-related facility was located within the allowed area, would that negate any youth-oriented facility from locating within 1000 feet of it. Mr. Davis replied that while zoning laws would not forbid them from doing it, he would think that such a facility would not choose to locate within 1,000 feet of a marijuana-related business.

Mr. Davis noted that no marijuana-related business, or any other business or building, will be built within the 100-foot buffer on either side of Miller Creek or adjacent to the proposed walking trail. It is simply not allowed.

Direction/Action

Commissioner Stanfield moved that the Planning Commission recommend to the City Council approval of the zoning code amendments for marijuana-related businesses as presented in attachment 2 of the January 15, 2014 memorandum from Chip Davis to the Planning Commission. In discussion, Commissioner Martinez noted that the commission only makes a recommendation to the City Council, so people with continuing concerns should make them known to their councilmembers. He also noted that for a marijuana-related business to locate in the South 140th Street neighborhood someone would have to sell or lease land

to the business, since most the land in the area is privately owned. There being no further discussion, the motion carried 4-0.

NEW BUSINESS

Election of Vice Chair

Commissioner Stanfield nominated Commissioner Martinez to fill the unexpired term of Vice Chair left vacant by Commissioner Tosta's election to the City Council.

PLANNING COMMISSION COMMUNICATIONS

None.

DIRECTOR'S REPORT

Mr. Johanson noted that there will be a presentation about the next two phases of Town Square at the February 3rd meeting of the City Council.

ADJOURNMENT

Direction/Action

Commissioner Stanfield moved for adjournment. Motion carried 4-0. The meeting was adjourned at 8:14 p.m.

APPROVED: February 12, 2014

/s/ Jim Clingan, chair
Planning Commission